

UNITED STATES DISTRICT COURT

for the

WESTERN District of NEW YORK



United States of America

v.

EUGENE LIBBETT

Date of Original Judgment: March 9, 2007

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 05-CR-6069LUSM No: 14564-055

Pro Se

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment _____ shall remain in effect.

IT IS SO ORDERED.Order Date: November 9, 2011

Judge's signature

Effective Date: _____
(if different from order date)

David G. Larimer - United States District Judge
Printed name and title